

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIRST DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 1307 of 2005

Between:

Ch.Ankamma, S/o.China Kotaiah,
Kaithepalli PACS, Kaithepalli (Post) Repalle (Mandal), Guntur District.

..... PETITIONER

AND

1 The Divisional Co-operative officer, Tenali, Tenali (Post & Mandal)

Guntur District.

2 The District Collector, Guntur Guntur District.

3 The PIC/President Kaithepalli PACS, Kaithepalli (Post)
Repalle (Mandal) Guntur District.

.....RESPONDENT(S)

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order direction more particularly one in the nature of writ of Mandamus declaring in action of District Collector in passing any order in appeal filed by the petitioner as per item 12 (2) of special bye-laws issued by Registrar of Co-operative societies and consequently direct the Respondents to pay all monetary benefits to the petitioner.

Counsel for the Petitioner:MR.M.SIVA PRASAD

Counsel for the Respondent No.: GP FOR COOPERATION

The Court made the following :

ORDER:

The writ petition is filed seeking a Mandamus to declare the action of the respondent No.2-District Collector in not passing any order in appeal filed by the petitioner as per item 12 (2) of special bye-laws issued by Registrar of Co-operative societies.

Heard the learned counsel for the petitioner and the learned Government Pleader for Cooperative Societies.

As per item 12 (2) of special bye-laws issued by the Registrar of Cooperative Societies, the District Collector is the appellate authority to pass any order in respect of the punishments imposed by the disciplinary authority. The petitioner seems to have filed an appeal before the District Collector on 29-11-2004 and proper decision has to be taken by the District Collector in accordance with the law.

Therefore, without entering into the merits of the case, I consider it appropriate to direct the 2nd respondent-District Collector to dispose of the appeal filed by the petitioner in accordance with law, within a period of two months from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of at the stage of admission. In the circumstances of the case, there shall be no order as to costs.

1st February, 2004.

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To

1. The Divisional Co-operative officer, Tenali, Tenali (Post & Mandal)Guntur District.
- 2 The District Collector, Guntur Guntur District.
- 3 The PIC/President Kaithepalli PACS, Kaithepalli (Post) Repalle (Mandal) Guntur District.
4. Two CC to GP for Cooperation, High Court Buildings, Hyderabad(OUT).
5. Two CD copies.